

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

SYSCO KANSAS CITY, INC.
Employer

and

Case 14-RC-136240

TEAMSTERS LOCAL 41, affiliated with
the INTERNATIONAL BROTHERHOOD
OF TEAMSTERS
Petitioner

ORDER

The Employer's Request for Review of the Regional Director's Decision and Direction of Election is denied as it raises no substantial issues warranting review.¹

Dated, Washington, D.C., October 31, 2014

MARK GASTON PEARCE,	CHAIRMAN
HARRY I. JOHNSON, III,	MEMBER
NANCY SCHIFFER,	MEMBER

¹ Member Johnson finds the petitioned-for unit appropriate under the Board's traditional community of interest analysis. Member Johnson notes that even in Board precedent decided prior to *Specialty Healthcare and Rehabilitation Center of Mobile*, 357 NLRB No. 83 (2011), enf'd. sub nom. *Kindred Nursing Centers East, LLC v. NLRB*, 727 F.3d 552 (6th Cir. 2013), the Board found a unit of local drivers, excluding other drivers, as an appropriate unit. See *Century Moving & Storage, Inc.*, 251 NLRB 671, 680 (1980) (community of interest between local and long haul drivers was insufficient to require their inclusion in any appropriate unit where, despite some interchange and contact between the two groups as well as identical supervision, the two groups formed two distinct entities with respect to function and method of compensation). Accordingly, under the circumstances of this case, Member Johnson finds no need to express a view whether *Specialty Healthcare* was correctly decided and correctly applied here.